

REMARKS

By this amendment, claims 1, 28, 37, and 60 are amended, and new claims 76-79 are added. No new matter has been added. In view of the above amendments and the following remarks, reconsideration and allowance is respectfully solicited.

Claims 1-23, 26-34, 36-59, 62-70, and 72 stand rejected as being obvious over Peinado in view of Rabin. In addition, claims 73-75 stand rejected as being obvious over Peinado in view of Rabin and further in view of Luchenbaugh. However, none of Peinado, Rabin, or Luchenbaugh, taken alone or in combination, disclose, suggest, or render obvious the invention recited in claims 1-23, 26-34, 36-59, 62-70, and 72-75.

Independent claims 1 and 37 have been amended to recite more clearly the novel aspects of the invention. In particular, the amended claims more clearly recite that the invention relates to controlling use of digital content having usage rights associated therewith, that the server has digital content stored thereon, and that the security module intercepts a request to the rendering engine to render the digital content, determines whether the requested digital content is protected content, and grants or denies the request to render the digital content based on the usage rights associated with the digital content only if it is determined by the security module that the requested digital content is protected content.

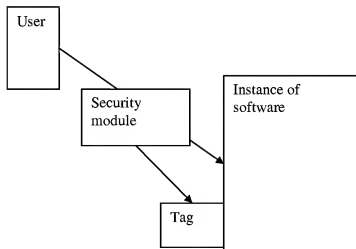
By contrast, the combination of cited references fails to teach or suggest all of the features recited in independent claims 1 and 37. For example, as admitted by the Examiner, Peinado fails to disclose a security module that intercepts requests to rendering engine, as is recited in the claims. In an attempt to overcome this deficiency, the Examiner applies Rabin, which discloses, at Col. 11, lines 9-34:

The step of receiving the instance of software can include the step of obtaining the instance of software at the user device. And the step of receiving the tag at a user device can include the steps of securely *obtaining the tag associated with the instance of software* at the user device and determining if the tag associated with the instance of software is signed, and if so, verifying a signature on a hash function value in the tag and if the signature on the hash function value is verified, installing the software on the user device, and if the tag associated with the instance of software is not signed, installing the instance of software on the user device. The *step of detecting an attempt to use the instance of the software* on the user device can

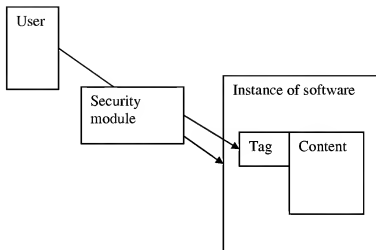
include the steps of invoking a *supervising program on the user device to intercept a user request* for use of the instance of software. The step of determining if the attempt to use the instance of the software is allowable can also include the steps of determining if a call-up procedure is needed based on a call-up policy and if so performing a call-up procedure to verify the authenticity and to determine the usage supervision policy of the tag associated with the instance of software. Also included are the steps of updating tag information in the user device based upon an outcome of the call-up procedure an examining status information associated with the tag to determine if use of the instance of software associated with the tag is allowed.

Thus, Rabin discloses that there is a tag associated with the instance of software, that there is a step of detecting an attempt to use the instance of the software, that there is a supervising program on the user device to intercept a user request to use the instance of the software, etc. Therefore, it is clear that Rabin utilizes a security (supervising program) module that regulates and intercepts user requests to an instance of software. In addition, it is clear that Rabin associates a tag with the instance of software, and that the tag is used to determine if the use of the instance of software is allowed.

Applicants respectfully direct the Examiner's attention to the following diagram, which is representative of the system of Rabin:



In contrast, the following diagram illustrates an exemplary system of the claimed invention:



Thus, the system of the claimed invention uses usage rules that are associated with content that is loaded by a rendering engine. The security module evaluates the rules associate with content that is loaded by the rendering engine and evaluates whether or not to allow the user request based on the those usage rules. If the rendering engine (instance of software) is not loaded with content that has usage rules, the security module does not impede the user. These features are recited in the claims presented herein. For example, claim 1 recites that “the security module intercepts a request to the rendering engine to render the digital content, determines whether the requested digital content is protected content, and grants or denies the request to render the digital content based on the usage rights associated with the digital content only if it is determined by the security module that the requested digital content is protected content.” This is clearly distinct from Rabin, as Rabin regulates access to the instance of software based on usage rules (i.e. tag) associated with the instance of software.

Therefore, for at least the above reasons, Applicants respectfully submit that claims 1-23, 26-34, 36-59, 62-70, and 72-75 are allowable over each of Peinado, Rabin, and Luchenbaugh, taken alone or in combination.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. However, if the Examiner deems that any issue remains after considering this response, the Examiner is invited to contact the undersigned attorney to expedite the prosecution and engage in a joint effort to work out a mutually satisfactory solution.

Respectfully submitted,

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Date: March 17, 2008

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